

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	<u>FILED UNDER SEAL</u>
)	
Plaintiff,)	Cr. No.: <u>17-20336</u>
)	
)	21 U.S.C. § 841(a)(1)
v.)	21 U.S.C. § 846
)	21 U.S.C. § 853
JIJAD HIJAZI,)	18 U.S.C. § 982
CHRISTOPHER HEFFERNAN,)	18 U.S.C. § 2
NASSEAM ELKARRA,)	18 U.S.C. § 922(g)(1)
KENRIC WEST, and)	18 U.S.C. § 1956(h)
PATRICK O'NEAL,)	
)	
Defendants.)	

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

1. Beginning at a time unknown to the grand jury, but through at least on or about May 3, 2017, in the Western District of Tennessee and elsewhere, the defendants,

**JIJAD HIJAZI,
CHRISTOPHER HEFFERNAN,
NASSEAM ELKARRA,
KENRIC WEST, and
PATRICK O'NEAL**

did unlawfully, knowingly and intentionally conspire, combine, confederate and agree together and with other persons both known and unknown to the grand jury, to unlawfully, knowingly and intentionally possess with the intent to distribute and to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance as classified by Title 21, United States Code, Section 812, in violation of Title 21, United States Code, Section 846.

Quantity of Marijuana Involved in the Conspiracy

2. With respect to defendant **JIJAD HIJAZI**, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is not less than 100 kilograms of a mixture or substance containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(B)(vii).

3. With respect to defendant **CHRISTOPHER HEFFERNAN**, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is not less than 100 kilograms of a mixture or substance containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(B)(vii).

4. With respect to defendant **NASSEAM ELKARRA**, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is not less than 100 kilograms of a mixture or substance containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(B)(vii).

5. With respect to defendant **KENRIC WEST**, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is not less than 100 kilograms of a mixture or substance containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(B)(vii).

6. With respect to defendant **PATRICK O'NEAL**, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is not less than 100 kilograms of a mixture or substance containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(B)(vii).

COUNT 2

7. On or about March 19, 2015, in the Western District of Tennessee, the defendant,

KENRIC WEST

knowingly and intentionally possessed with intent to distribute 444.2 grams or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance. All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 3

8. On or about March 19, 2015, in the Western District of Tennessee, the defendant,

KENRIC WEST

knowingly and intentionally possessed with intent to distribute 23.4 grams or more of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance. All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 4

9. On or about the March 19, 2015, in the Western District of Tennessee, the defendant,

KENRIC WEST

having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, possession of a controlled substance with intent to distribute, did knowingly possess in and affecting interstate commerce, a firearm, that is, a Ruger model LC9 .9mm handgun, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 5

10. Between on or about January 3, 2017 and on or about January 4, 2017, in the Western District of Tennessee and elsewhere, the defendants,

**JIJAD HIJAZI, and
KENRIC WEST**

being aided and abetted each by the other, knowingly and intentionally possessed and attempted to possess with intent to distribute 2,690 grams or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance. All in violation of Title 21, United States Code, Sections 841(a)(1) and 846 and Title 18, United States Code, Section 2.

COUNT 6

11. Between on or about May 1, 2017 and on or about May 3, 2017, in the Western District of Tennessee and elsewhere, the defendants,

**JIJAD HIJAZI, and
KENRIC WEST**

being aided and abetted each by the other, knowingly and intentionally possessed with intent to distribute 1,523 grams or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance. All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 7

12. Beginning at a time unknown to the grand jury, but through at least on or about December 17, 2016, in the Western District of Tennessee and elsewhere, the defendants:

**JIJAD HIJAZI, and
KENRIC WEST**

did unlawfully, knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons known and unknown to the Grand Jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, to wit:

(a) to knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, which involved the proceeds of a specified unlawful activity, that is, conspiracy to commit drug trafficking in violation of Title 21, United States Code, Section 846, with the intent to promote the carrying on of specified unlawful activity, that is conspiracy to commit drug trafficking, in violation of Title 21 Title 21, United States Code, Section 846, and that while conducting and attempting to conduct such financial transaction knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i); and

(b) to knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is conspiracy to commit drug trafficking, in

violation of Title 21, United States Code, Section 846, knowing that the transaction was designed in whole and in part to avoid a transaction reporting requirement under Federal law, and that while conducting and attempting to conduct such financial transaction knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

Financial Transactions Involved in Conspiracy

13. Financial transactions involved in the conspiracy alleged in paragraph 12 above include, but are not limited to, the following:

a. The following financial transactions involving Bank of America

MyAccess Checking Acct #xxxxxx1878 in the name of Jijad S. Hijazi:

Transaction Date	Branch Location	Cash Deposits	Cash Withdrawals
7/29/2014	2731 Union Ext'd, Memphis, TN	\$2,500.00	
7/29/2014	(branch not specified)		2,300.00
8/4/2014	2731 Union Ext'd, Memphis, TN	\$2,700.00	
8/6/2014	2731 Union Ext'd, Memphis, TN	\$3,600.00	
8/6/2014	(branch not specified)		5,500.00
8/15/2014	2731 Union Ext'd, Memphis, TN	\$5,800.00	
8/15/2014	(branch not specified)		5,000.00
8/19/2014	(branch not specified)		3,100.00
8/27/2014	2731 Union Ext'd, Memphis, TN	\$6,400.00	
8/28/2014	(branch not specified)		1,000.00
9/2/2014	(branch not specified)		5,000.00
9/5/2014	2731 Union Ext'd, Memphis, TN	\$316.71	
9/13/2014	2731 Union Ext'd, Memphis, TN	\$1,500.00	
9/19/2014	2731 Union Ext'd, Memphis, TN	\$1,500.00	
9/26/2014	945 S. Cooper St., Memphis, TN	\$3,500.00	
9/29/2014	(branch not specified)		2,400.00
10/3/2014	945 S. Cooper St., Memphis, TN	\$3,600.00	

Transaction Date	Branch Location	Cash Deposits	Cash Withdrawals
10/3/2014	2731 Union Ext'd, Memphis, TN	\$1,000.00	
10/6/2014	(branch not specified)		3,390.00
10/10/2014	2731 Union Ext'd, Memphis, TN	\$800.00	
10/17/2014	2731 Union Ext'd, Memphis, TN	\$1,500.00	
10/20/2014	(branch not specified)		1,200.00
10/22/2014	945 S. Cooper St., Memphis, TN	\$3,000.00	
10/22/2014	(branch not specified)		2,400.00
10/25/2014	2731 Union Ext'd, Memphis, TN	\$500.00	
10/27/2014	(branch not specified)		500.00
10/30/2014	945 S. Cooper St., Memphis, TN	\$2,000.00	
10/31/2014	945 S. Cooper St., Memphis, TN	\$1,000.00	
11/5/2014	(branch not specified)		785.00
11/6/2014	945 S. Cooper St., Memphis, TN	\$4,100.00	
11/6/2014	(branch not specified)		4,300.00
11/12/2014	945 S. Cooper St., Memphis, TN	\$1,500.00	
11/15/2014	2731 Union Ext'd, Memphis, TN	\$1,400.00	
11/17/2014	945 S. Cooper St., Memphis, TN	\$2,000.00	
11/17/2014	(branch not specified)		2,600.00
11/18/2014	(branch not specified)		100.00
11/19/2014	945 S. Cooper St., Memphis, TN	\$1,500.00	
11/19/2014	(branch not specified)		2,100.00
11/20/2014	945 S. Cooper St., Memphis, TN	\$2,000.00	
11/24/2014	2731 Union Ext'd, Memphis, TN	\$2,500.00	
11/24/2014	(branch not specified)		2,000.00
12/2/2014	945 S. Cooper St., Memphis, TN	\$5,000.00	
12/2/2014	(branch not specified)		\$3,500.00
12/12/2014	945 S. Cooper St., Memphis, TN	\$2,000.00	
12/13/2014	2731 Union Ext'd, Memphis, TN	\$2,000.00	
12/15/2014	(branch not specified)		1,500.00
12/17/2014	(branch not specified)		2,000.00
12/19/2014	2731 Union Ext'd, Memphis, TN	\$2,000.00	

Transaction Date	Branch Location	Cash Deposits	Cash Withdrawals
12/22/2014	(branch not specified)		1,000.00
12/24/2014	945 S. Cooper St., Memphis, TN	\$1,000.00	
12/29/2014	945 S. Cooper St., Memphis, TN	\$1,750.00	
1/2/2015	2731 Union Ext'd, Memphis, TN	\$2,500.00	
1/10/2015	2731 Union Ext'd, Memphis, TN	\$2,000.00	
1/13/2015	(branch not specified)		2,100.00
1/22/2015	945 S. Cooper St., Memphis, TN	\$5,500.00	
1/22/2015	(branch not specified)		1,000.00
1/23/2015	(branch not specified)		1,500.00
2/2/2015	(branch not specified)		3,200.00
2/3/2015	(branch not specified)		1,000.00
8/24/2015	100 Peabody Pl., Memphis, TN	\$3,000.00	
9/1/2015	(branch not specified)		500.00
	Total:	\$80,466.71	60,975.00

b. The following financial transactions involving Wells Fargo Checking

Acct #xxxxxx7053 in the name of Jijad S. Hijazi:

Transaction Date	Branch Location	Cash Deposits	Cash Withdrawals
8/24/2015	42 S. Claybrook, Memphis, TN	\$9,180.00	
10/22/2015	42 S. Claybrook, Memphis, TN	\$8,000.00	
10/24/2015	(branch not specified)		\$6,000.00
10/26/2015	1899 Marina Blvd., San Leandro, CA		\$2,500.00
11/6/2015	(branch not specified)		\$4,000.00
11/21/2015	4648 Mission St., San Francisco, CA		\$800.00
12/8/2015	42 S. Claybrook, Memphis, TN	\$8,000.00	
12/8/2015	(branch not specified)		\$4,000.00
12/15/2015	50 Phelan Ave., San Francisco, CA		\$1,500.00
12/22/2015	42 S. Claybrook, Memphis, TN	\$4,000.00	
12/22/2015	599 Buckingham Way, San Francisco, CA		\$1,500.00
12/22/2015	145 W. Portal Ave., San Francisco, CA		\$1,000.00
12/29/2015	42 S. Claybrook, Memphis, TN	\$5,000.00	

Transaction Date	Branch Location	Cash Deposits	Cash Withdrawals
12/30/2015	1899 Marina Blvd., San Leandro, CA		\$8,000.00
1/15/2016	42 S. Claybrook, Memphis, TN	\$8,000.00	
1/25/2016	42 S. Claybrook, Memphis, TN	\$8,000.00	
1/25/2016	1298 E. 14th St., San Leandro, CA		\$6,600.00
1/27/2016	1899 Marina Blvd., San Leandro, CA		\$1,500.00
2/2/2016	1899 Marina Blvd., San Leandro, CA		\$1,500.00
2/4/2016	50 Phelan Ave., San Francisco, CA		\$1,500.00
2/5/2016	42 S. Claybrook, Memphis, TN	\$7,000.00	
2/8/2016	1899 Marina Blvd., San Leandro, CA		\$8,000.00
2/10/2016	42 S. Claybrook, Memphis, TN	\$7,000.00	
2/16/2016	42 S. Claybrook, Memphis, TN	\$7,000.00	
2/23/2016	42 S. Claybrook, Memphis, TN	\$7,000.00	
2/23/2016	1298 E. 14th St., San Leandro, CA		\$8,500.00
2/24/2016	42 S. Claybrook, Memphis, TN	\$2,000.00	
2/24/2016	145 W. Portal Ave., San Francisco, CA		\$9,500.00
2/24/2016	145 W. Portal Ave., San Francisco, CA		\$1,500.00
3/1/2016	42 S. Claybrook, Memphis, TN	\$8,000.00	
3/3/2016	42 S. Claybrook, Memphis, TN	\$8,000.00	
3/5/2016	1726 Haight St., San Francisco, CA		\$1,500.00
3/8/2016	1298 E. 14th St., San Leandro, CA		\$8,000.00
3/22/2016	1298 E. 14th St., San Leandro, CA		\$8,500.00
3/24/2016	42 S. Claybrook, Memphis, TN	\$6,000.00	
3/24/2016	1298 E. 14th St., San Leandro, CA		\$1,500.00
3/28/2016	42 S. Claybrook, Memphis, TN	\$8,000.00	
3/31/2016	1298 E. 14th St., San Leandro, CA		\$6,000.00
4/6/2016	1298 E. 14th St., San Leandro, CA		\$6,000.00
4/15/2016	42 S. Claybrook, Memphis, TN	\$6,000.00	
4/18/2016	42 S. Claybrook, Memphis, TN	\$2,500.00	
4/22/2016	42 S. Claybrook, Memphis, TN	\$2,400.00	
4/22/2016	145 W. Portal Ave., San Francisco, CA		\$6,000.00
4/27/2016	2040 Franklin St., Oakland, CA		\$7,500.00
4/27/2016	1298 E. 14th St., San Leandro, CA		\$1,500.00
4/28/2016	42 S. Claybrook, Memphis, TN	\$5,000.00	
5/3/2016	1298 E. 14th St., San Leandro, CA		\$4,000.00
5/13/2016	42 S. Claybrook, Memphis, TN	\$4,000.00	
5/14/2016	145 W. Portal Ave., San Francisco, CA		\$4,000.00
5/16/2016	42 S. Claybrook, Memphis, TN	\$1,800.00	

Transaction Date	Branch Location	Cash Deposits	Cash Withdrawals
5/23/2016	42 S. Claybrook, Memphis, TN	\$8,000.00	
5/25/2016	2040 Franklin St., Oakland, CA		\$8,000.00
5/26/2016	42 S. Claybrook, Memphis, TN	\$7,600.00	
6/1/2016	3611 Hacks Cross Rd., Memphis, TN	\$8,000.00	
6/3/2016	1298 E. 14th St., San Leandro, CA		\$9,000.00
7/22/2016	42 S. Claybrook, Memphis, TN	\$6,000.00	
7/25/2016	42 S. Claybrook, Memphis, TN	\$1,000.00	
7/28/2016	42 S. Claybrook, Memphis, TN	\$5,000.00	
8/20/2016	42 S. Claybrook, Memphis, TN	\$6,000.00	
8/27/2016	42 S. Claybrook, Memphis, TN	\$8,000.00	
8/31/2016	1899 Marina Blvd., San Leandro, CA		\$8,300.00
9/1/2016	42 S. Claybrook, Memphis, TN	\$5,000.00	
9/2/2016	4648 Mission St., San Francisco, CA		\$8,100.00
9/10/2016	42 S. Claybrook, Memphis, TN	\$2,500.00	
9/21/2016	9059 Hwy 64, Arlington, TN	\$2,000.00	
9/26/2016	490 Brannan St., San Francisco, CA		\$2,300.00
9/30/2016	42 S. Claybrook, Memphis, TN	\$7,500.00	
9/30/2016	50 Phelan Ave., San Francisco, CA		\$1,500.00
10/3/2016	145 W. Portal Ave., San Francisco, CA		\$3,400.00
10/6/2016	42 S. Claybrook, Memphis, TN	\$5,000.00	
10/8/2016	42 S. Claybrook, Memphis, TN	\$1,500.00	
10/10/2016	42 S. Claybrook, Memphis, TN	\$2,000.00	
10/11/2016	599 Buckingham Way, San Francisco, CA		\$7,900.00
10/13/2016	42 S. Claybrook, Memphis, TN	\$2,000.00	
10/17/2016	42 S. Claybrook, Memphis, TN	\$7,000.00	
10/17/2016	1298 E. 14th St., San Leandro, CA		\$2,200.00
10/22/2016	42 S. Claybrook, Memphis, TN	\$2,000.00	
10/28/2016	(branch not specified)		\$6,000.00
11/10/2016	42 S. Claybrook, Memphis, TN	\$2,500.00	
12/12/2016	(branch not specified)		\$9,000.00
12/17/2016	463 Broadway, New York, NY	\$8,000.00	
	Total:	\$228,480.00	\$188,100.00

c. The following financial transactions involving Wells Fargo Way2Save Savings Acct #xxxxxx0254 in the name of Kenric West:

Transaction Date	Branch Location	Cash Deposits	Cash Withdrawals
10/26/2015	42 S. Claybrook, Memphis, TN	\$8,000.00	
10/28/2015	875 El Camino Real, San Bruno, CA		\$8,000.00
	Total:	\$8,000.00	\$8,000.00

d. The following financial transactions involving Wells Fargo Way2Save Savings Acct #xxxxxx9642 in the name of Kenric West:

Transaction Date	Branch Location	Cash Deposits	Cash Withdrawals
10/22/2015	42 S. Claybrook, Memphis, TN	\$8,000.00	
10/24/2015	42 S. Claybrook, Memphis, TN	\$4,500.00	
10/27/2015	4045 24th St., Ste B, San Francisco, CA		\$8,000.00
10/28/2015	4648 Mission St., San Francisco, CA		\$3,000.00
	Total:	\$12,500.00	\$11,000.00

All in violation of Title 18, United States Code, Section 1956(h).

CRIMINAL FORFEITURE

1. The allegations contained in Counts 1-7 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853 and Title 18, United States Code, Section 982.

2. Pursuant to Title 21, United States Code, Section 853, and Title 18, United States Code, Section 982, upon conviction of an offense in violation of Title 21, United States Code, Section 841(a)(1) and/or 846, and/or Title 18, United States Code, Section 1956, the defendants,

**JIJAD HIJAZI,
CHRISTOPHER HEFFERNAN,
NASSEAM ELKARRA,
KENRIC WEST, and
PATRICK O'NEAL**

shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of the offenses charged in Counts 1, 2, 3, 5, and 6 any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, that offense, and any property involved in the offense charged in Count 7, and any property traceable to such property. The property to be forfeited includes, but is not limited to, the following:

a. **Money Judgments:**

1) The sum of three million, seventy-eight thousand dollars (\$3,078,000) in U.S. funds, representing the aggregate of the proceeds realized as a result of the offense charged in Counts 1, 2, 3, 5, and 6 above,

for which each defendant is responsible to the extent of the portion he actually received;

2) The sum of five hundred ninety-one thousand nine dollars seventy-one cents (\$591,009.71) in U.S. funds, representing the aggregate of the property involved in the offense charged in Count 7 above, for which the defendants are jointly and severally liable

b. Currency as Follows:

1) Three thousand fifty dollars (\$3,050) in U.S. currency seized from Patrick O'Neal on or about January 12, 2017; and,

2) Seven thousand three hundred seventeen dollars (\$7,317) in U.S. currency seized from Kenric West on or about March 19, 2015.

Substitute Assets

3. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or,
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL:


FOREPERSON

DATED: 11/8/17

D. Michael Dunavat
D. MICHAEL DUNAVANT
UNITED STATES ATTORNEY